

Decision cover page

Report Title: Updating the Planning Protocol

Date of Decision: Strategic Planning Committee 19 February 2024

Report Author: Rob Krzyszowski, Assistant Director Planning, Building Standards & Sustainability

Contact No: 020 8489 3213

Council Leadership Team Lead (and date report agreed): N/A

Report Title	
*Legal Comments Provided by:	Not sought on this specific report but is fully involved in the emerging changes to the Planning Protocol
*Financial Comments Provided by:	Not sought at this stage
*Equalities Comments Reviewed by:	Not sought at this stage
*Procurement Comments Provided by:	N/A
In the Background - This section of the report includes outlining consultation with partners/stakeholders, service users, residents more generally, business, other public bodies, interest groups, government, staff or statutory consultees. Please indicate if this has happened and who has been consulted. Also include how consideration has been given to the Haringey Deal and to hearing the voices that are too often overlooked	The Planning Service Peer Challenge 2023 heard from a variety of borough partners and residents about improvements to the Planning Service. A number of recommendations were made and an Action Plan has been drafted. However, the peer report did not make any recommendations regarding the Planning Protocol
Number of Appendices included –please check the report writing guidance on the template and consider can these be included as background documents if they do not refer to in the recommendations or need to be referred to agree the proposals.	Appendix A: Planning Protocol 2017
*Background documents listed that are available for public inspection or web links exists? [These are the documents that have been relied upon to a material extent in the preparation of the report. Any background papers that are listed must be retained and accessible for public inspection for a period of 6 years. It is the responsibility of the report author to ensure this is done.]	N/A
Date considered by Cabinet Member Please note that if your report impacts or relates to two or more Cabinet portfolios, you will need to also arrange a further briefing meeting with the Cabinet members before submission of the report to Informal CAB.	Monday 29 January 2024 discussion

<p>Dates considered by Officer Internal Boards [This can include internal Cabinet and Officer Groups]</p>	<p>25 January 2024 Planning Board</p>
<p>Date considered by Council Leadership Team Politically sensitive strategic key decisions would need to be considered by .] Please contact Ben Hunt on x1164 if you have any queries about which meeting your report should be considered at. Meetings table place on a Thursday morning</p>	<p>N/A</p>
<p>Date considered by informal CAB [Politically sensitive strategic key decisions would need consideration at CAB – Please contact Felicity Foley with any queries about Informal CAB.]</p>	<p>N/A</p>
<p>Please consider if a wider briefing on this key decision is required at Labour Group / Liberal Democrat Group meetings? When?</p>	<p>N/A</p>
<p>Is the decision compliant with the Council’s Budget and Policy Framework as set out in Part Four Section E of the Constitution?</p>	<p>Yes</p>

Report for: Strategic Planning Committee 19 February 2024

Item number: To be added by the Committee Section

Title: Updating the Planning Protocol

Report

authorised by : Rob Krzyszowski, Assistant Director Planning, Building Standards & Sustainability

Lead Officer: Robbie McNaugher, Head of Development Management & Enforcement

Ward(s) affected: N/A

Report for Key/

Non Key Decision: N/A

1. Describe the issue under consideration

1.1. This report sets out the potential changes to the Planning Protocol, which is part of the Council's Constitution, that officers are considering, for Members to consider and discuss.

2. Cabinet Member Introduction

2.1. N/A

3. Recommendations

3.1. Strategic Planning Committee is asked to note the content of this report.

4. Reasons for decision

4.1. The Planning Protocol was last updated and approved as part of the Council's Constitution in 2017. It is appropriate to consider updating the Planning Protocol to bring it up-to-date in line with good practice and alongside wider changes to the Constitution that the Council is considering.

5. Alternative options considered

5.1. The Council could decide not to update the Planning Protocol but this is not considered appropriate as it would be out-of-date and not in line with the latest good practice.

6. Background information

6.1. The Council's Constitution Part Five contains various Codes and Protocols governing the way various elements of the Council function. Within Part Five,

Section E is the Planning Protocol which was last updated and approved in 2017.

6.2. The Planning Protocol currently covers various topics including:

- Conduct of Members/Officers
- Training
- Open & fair decisions
- Bias & predetermination
- Declaring interests
- Consistency
- Reasons
- Lobbying from developers / residents
- Hospitality, social contacts
- Pre-app presentations
- Site visits
- Role of Ward Members
- 'Call in' to Planning Sub Committee
- Running order

6.3. Since the Planning Protocol was last updated and approved in 2017, various industry-standard good practice documents have been updated which officers have had regard to in considering updates:

- **Probity in Planing – Advice for councillors and officers making planning decisions** – Local Government Association (LGA) Planning Advisory Service (PAS) – December 2019 [LINK](#)
- **Probity and the Professional Planner – Exercising your independent professional judgement** – Royal Town Planning Institute (RTPI) – January 2020 [LINK](#)
- **The Members Planning Code of Good practice** – Lawyers in Local Government (LLG) – January 2024 [LINK](#)

6.4. In October 2023 a **Planning Service Peer Challenge** was invited to Haringey to give 'critical friend' feedback and make recommendations for any improvements needed to the service. This is the subject of a separate report to Strategic Planning Committee. The peer report stated that "Committee is a very good example of how public facing planning committees are run" and did not make any recommendations regarding Planning Sub Committee or the Planning Protocol.

6.5. Officers are considering and working on drafting potential changes to the Planning Protocol as follows:

1. General updates and tidying up
2. Removing duplication / inconsistency with wider Constitution and Member Code of Conduct
3. Clarifying officers' ability to refer an application to Committee

4. Confirming planning decisions cannot be made on a party-political basis / are not 'whipped'
5. Establishing a new 'Strategic Planning Panel' pre-application meeting between applicants and relevant members, with associated transparency measures
6. Renaming 'Development Management Forum' to 'Planning Forum'
7. Clarifying processes for petitions
8. Clarifying the running order for Planning Sub Committee meetings
9. Clarifying step-by-step process for dealing with Motions, including those contrary to officer recommendation
10. Clarifying approach to Deferrals

6.6. Strategic Planning Committee Members are invited to suggest any further changes to the Planning Protocol which they are interested in exploring.

6.7. Constitution Working Group meetings are being held with relevant Members to discuss potential changes to the Council's Constitution, including the Planning Protocol, in more detail.

6.8. Final proposed changes to the Council's Constitution including the Planning Protocol would need to be approved by a future meeting of the Full Council.

7. Contribution to the Corporate Delivery Plan 2022-2024 High level Strategic outcomes

7.1. Potential changes to the Planning Protocol support all themes in the Corporate Delivery Plan by making improvements across the Planning Service, relationships with residents, communities, partners, stakeholders and with Members.

8. Carbon and Climate Change

8.1. The Planning Protocol does not contain policies or procedures regarding carbon and climate change because the appropriate document for planning policies is the Local Plan and associated planning policy documents. The efficient and proper implementation of the Planning Protocol will help support the delivery of the policies on the Local Plan, including on carbon and climate change.

9. Statutory Officers comments

9.1. Not sought at this early stage although full advice will be provided for when changes to the Planning Protocol, as part of wider potential changes to the Council's Constitution, are proposed to Full Council.

10. Use of Appendices

Appendix A: Planning Protocol 2017

11. Background papers

N/A